

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 00-5328-CR-Ferguson

UNITED STATES OF AMERICA

Plaintiff,

v.

SMLX Technologies  
Defendant.

ORDER ON INITIAL APPEARANCE

Language \_\_\_\_\_

Tape No. 00-095

AUSA Nicholson

Agent \_\_\_\_\_

The above-named defendant having been arraigned on 11-29-00, having appeared before the court for initial appearance on 11-29-00 and proceedings having been held in accordance with FRCP 5 or 40(a) it is thereupon ORDERED as follows:

1. Ben Kuehne & John Mariani appeared as permanent temporary counsel of record.

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

2. \_\_\_\_\_ appointed as permanent counsel of record.

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

3. The defendant shall attempt to retain counsel and shall appear before the court at \_\_\_\_\_ on \_\_\_\_\_.

4. Arraignment/Pretrial hearing is set for held 20 \_\_\_\_.

5. The defendant is held in temporary pretrial detention pursuant to 18 U.S.C. 3142(d) or (f) because \_\_\_\_\_.

A detention hearing, pursuant to 18 U.S.C. 3142 (f), is set for \_\_\_\_\_ 20 \_\_\_\_.

6. The defendant shall be released from custody upon posting of the following type of appearance bond, pursuant to 18 U.S.C. 3142: N/A

This bond shall contain the standard conditions of bond printed in the form of this Court and, in addition, the defendant must comply with the special conditions checked below:

- ☐ a. Surrender all passports and travel documents to the Pretrial Services Office of the Court.
- ☐ b. Report to Pretrial Services as follows: \_\_\_\_\_ times a week by phone \_\_\_\_\_ times a week in person; other: \_\_\_\_\_
- ☐ c. Submit to random urine testing by Pretrial Services for the use of non-physician-prescribed substances prohibited by law.
- ☐ d. Maintain or actively seek full-time gainful employment.
- ☐ e. Maintain or begin an educational program.
- ☐ f. Avoid all contact with victims of or witnesses to the crimes charged.
- ☐ g. Refrain from possessing a firearm, destructive device or other dangerous weapon.
- ☐ h. Comply with the following curfew: \_\_\_\_\_

\_\_\_\_ i. Comply with the following additional special conditions of this bond \_\_\_\_\_

This bond was set : At Arrest \_\_\_\_\_

On Warrant \_\_\_\_\_

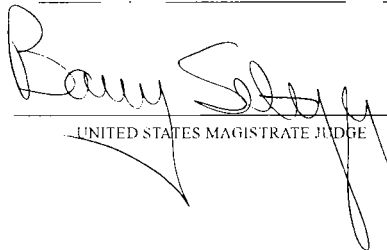
After Hearing \_\_\_\_\_

If bond is changed from that set in another District, the reason pursuant to Rule 40(f) is \_\_\_\_\_

\_\_\_\_ If this space is checked, an evidentiary hearing pursuant to *United States v. Nebbia*, 357, F.2d 303 (2 Cir. 1966) shall be held prior to the posting of the bond. Such hearing shall be scheduled promptly upon notification to the court that the defendant is ready to post bond.

7. The defendant has been advised by the court that if he or she is released on bond pursuant to the conditions set forth herein or those later ordered by the court, the defendant is subject to arrest and revocation of release and to various civil and criminal sanctions for any violation of those conditions. These various sanctions and penalties are set forth more fully in the Appearance Bond itself.
8. The defendant is committed to the custody of the United States Marshal until an appearance bond has been executed in accordance with this or subsequent court order.

DONE AND ORDERED at Ft. Lauderdale this 29 day of November, 20 00.

  
UNITED STATES MAGISTRATE JUDGE

DISTRIBUTION:

WHITE to Court file

BLUE to defendant

GREEN to Assistant U.S. Attorney

YELLOW to Counsel

PINK to U.S. Marshal

GOLD to Pretrial Services